## **AMENDMENTS TO THE CLAIMS**

This listing of the claims will replace all prior versions including the claims in the application.

Listing of the Claims:

## **CLAIMS:**

1. (Original) A compound of formula (I)

$$(R)_{O} \xrightarrow{\begin{array}{c} C = C \\ H \end{array}} \xrightarrow{X_{1}R_{1}} O$$

$$C = C \xrightarrow{M} Y$$

$$(I)$$

in which:

Y is a group of formula (II)

or of formula (III)

$$X_{2}R_{2}$$

$$X_{3}R_{3}$$

$$(III),$$

R is

 $H,\ C_1-C_6-alkyl,\ C_2-C_6-alkynyl\ or\ C_5-C_{14}-aryl,\ halogen,\ -CN,\ -OH,\ -O-C_1-C_6-alkyl,\ -O-C_2-C_6-alkynyl,\ -NH-C_2-C_6-alkyl,\ -NH-C_2-C_6-alkyl,\ -NH-C_2-C_6-alkyl,\ -NH-C_3-C_6-alkyl,\ -NH$ 

NH-C<sub>2</sub>-C<sub>6</sub>-alkynyl, -NH-C<sub>5</sub>-C<sub>14</sub>-aryl, -N(-C<sub>1</sub>-C<sub>6</sub>-alkyl)<sub>2</sub>, -N(-C<sub>2</sub>-C<sub>6</sub>-alkenyl)<sub>2</sub>, -N(-C<sub>2</sub>-C<sub>6</sub>-alkynyl)<sub>2</sub>, -N(C<sub>5</sub>-C<sub>14</sub>-aryl)<sub>2</sub>, -NH[-C(=O)-(C<sub>1</sub>-C<sub>6</sub>-alkyl)], -NH[-C(=O)-(C<sub>5</sub>-C<sub>14</sub>-aryl)], -NH-O-R<sub>1</sub>, -SH, -S-C<sub>1</sub>-C<sub>6</sub>-alkyl, -S-C<sub>2</sub>-C<sub>6</sub>-alkenyl, -S-C<sub>1</sub>-C<sub>6</sub>-alkynyl or -O-C<sub>5</sub>-C<sub>14</sub>-aryl, wherein the abovementioned substituents are unsubstituted or substituted, one or more times, by a substituent independently selected from  $C_1$ -C<sub>6</sub>-alkyl,  $C_2$ -C<sub>6</sub>-alkenyl,  $C_2$ -C<sub>6</sub>-alkynyl,  $C_5$ -C<sub>14</sub>-aryl, where alkyl, alkenyl, alkynyl and aryl may be independently unsubstituted or substituted, once or twice, by a substituent independently selected from -OH, =O, -O-C<sub>1</sub>-C<sub>6</sub>-alkyl, -O-C<sub>2</sub>-C<sub>6</sub>-alkenyl, -O-C<sub>5</sub>-C<sub>14</sub>-aryl, -C<sub>5</sub>-C<sub>14</sub>-aryl, -NH-C<sub>1</sub>-C<sub>6</sub>-alkyl, -NH-C<sub>2</sub>-C<sub>6</sub>-alkenyl, -NH<sub>2</sub>, and halogen, wherein alkyl, alkenyl, alkynyl and aryl can be further substituted by a -CN, amide or oxime,

 $R_1$ ,  $R_2$ ,  $R_3$  and  $R_4$  are, independently of each other,

H, C<sub>1</sub>-C<sub>6</sub>-alkyl, C<sub>2</sub>-C<sub>6</sub>-alkenyl, C<sub>2</sub>-C<sub>6</sub>-alkynyl or C<sub>5</sub>-C<sub>14</sub>-aryl,

in which alkyl, alkenyl, alkynyl and aryl are unsubstituted or substituted, once or twice, by a substituent independently selected from -OH,  $-O-C_1-C_6$ -alkyl,  $-O-C_2-C_6$ -alkenyl,  $-O-C_5-C_{14}$ -aryl,  $-C_5-C_{14}$ -aryl,  $-NH-C_1-C_6$ -alkyl,  $-NH-C_2-C_6$ -alkenyl,  $-NH_2$  and halogen, in which alkyl, alkenyl, alkynyl and aryl are independently unsubstituted or substituted, once or twice, by a substituent independently selected from -OH, =O,  $-O-C_1-C_6$ -alkyl,  $-O-C_2-C_6$ -alkenyl,  $-O-C_5-C_{14}$ -aryl,  $-C_5-C_{14}$ -aryl,  $-NH-C_1-C_6$ -alkyl,  $-NH-C_2-C_6$ -alkenyl,  $-NH_2$  and halogen, in which said alkyl, alkenyl, alkynyl and aryl can be further independently substituted by a -CN, amide or oxime,

 $X_1$ ,  $X_2$  and  $X_3$  are, independently of each other, selected from  $-CH_2-$ , -CHR-, -NH-,  $-N(C_1-C_6-alkyl)-$ ,  $-N(C_2-C_6-alkenyl)-$ ,  $-N(C_2-C_6-alkynyl)-$ ,  $-N[-C(=O)-(C_1-C_6-alkyl)]-$ ,  $-N[-C(=O)-(C_5-C_{14}-aryl)]-$ ,  $-N(C_5-C_{14}-aryl)-$ , -N(O-R)-, -O- and -S-,

n and m are, independently of each other,

2, 3, 4 or 5, and

o is

0, 1, 2 or 3,

excluding, however, compounds of formula (I) in which

o is 0,

n is 2,

m is 2 or 3,

X<sub>2</sub> and X<sub>3</sub> are O, and

 $R_2$  and  $R_3$  are  $C_2H_5$ ,

and all double bonds possess the trans-configuration,

and/or stereoisomeric forms of compounds of formula (I) and/or a mixture of these forms in any ratio, and/or physiologically tolerated salts of compounds of formula (I).

- 2. (Previously presented) A compound of formula (I) as claimed in claim 1, wherein at least one polyene group has at least one *cis* double bond.
- 3. (Original) A compound of formula (I) as claimed in claim 1, wherein R is H,

 $R_1$  is H or  $C_1$ - $C_6$ -alkyl,

R<sub>2</sub> is H or C<sub>1</sub>-C<sub>6</sub>-alkyl,

 $R_3$  is H or  $C_1$ - $C_6$ -alkyl,

R<sub>4</sub> is C<sub>1</sub>-C<sub>6</sub>-alkyl, and

 $X_1$  and  $X_2$  are -O-,

and the physiologically tolerated salts thereof.

4. (Original) A compound of formula (I) as claimed in claim 1, which is a compound of formula (IV)

$$\begin{array}{c|c}
C = C \\
C = C \\
C = C \\
C = C \\
OR_{2}
\end{array}$$
(IV)

wherein m is 3 or 4, and  $R_1$  and  $R_2$  are as defined in claim 1 and the physiologically tolerated salts thereof.

5. (Previously presented) A compound of formula (V)

wherein R1 and R2 are independently of each other, H,  $C_1$ - $C_6$ -alkyl,  $C_2$ - $C_6$ -alkenyl,  $C_2$ - $C_6$ -alkynyl or  $C_5$ - $C_{14}$ -aryl, in which alkyl, alkenyl, alkynyl and aryl are unsubstituted or substituted, once or twice, by a substituent independently selected from –OH, –O- $C_1$ - $C_6$ -alkyl, –O- $C_2$ - $C_6$ -alkenyl, –O- $C_5$ - $C_{14}$ -aryl, –NH- $C_1$ - $C_6$ -alkyl, –NH- $C_2$ - $C_6$ -alkenyl, –NH $_2$  and halogen, in which alkyl, alkenyl, alkynyl and aryl are independently unsubstituted or substituted, once or twice, by a substituent independently selected from –OH, =O, –O- $C_1$ - $C_6$ -alkyl, –O- $C_2$ - $C_6$ -alkenyl, –O- $C_5$ - $C_{14}$ -aryl, –NH- $C_1$ - $C_6$ -alkyl, –NH- $C_2$ - $C_6$ -alkenyl, -NH $_2$  and halogen, in which said alkyl, alkenyl, alkynyl and aryl can be further independently substituted by a -CN, amide or oxime.

- 6. (Original) A compound of formula (V) as claimed in claim 5, wherein each of R<sub>1</sub> and R<sub>2</sub> is H.
- 7. (Original) A compound of formula (I) as claimed in claim 1, which is a compound of formula (VI)

wherein R1 and R2 are as defined in claim 1.

8. (Previously presented) A compound of formula (VI)

wherein R<sub>1</sub> and R<sub>2</sub> are each H.

9. (Original) A compound of formula (I) as claimed in claim1, which is a compound of formula (VII)

wherein R1 and R2 are as defined in claim 1.

10. (Previously presented ) A compound of formula (VII)

wherein  $R_1$  and  $R_2$  are each H.

11. (Previously presented) A compound of formula (I) as claimed in claim 1, which is a compound of formula (VIII)

$$\begin{array}{c|c} & OR_1 \\ & C = C \\ & H \end{array} \begin{array}{c} OR_2 \\ & OR_3 \end{array}$$

$$(VIII)$$

wherein R1 and R2 are as defined in claim 1.

12. (Original) A compound of formula (VIII) as claimed in claim 11, which is a compound of formula (IX)

- 13. (Original) A compound of formula (IX) as claimed in claim 12, wherein R<sub>1</sub> is H.
- 14. (Original) A compound of the formula (VIII) as claimed in claim 11, which is a compound of formula (X)

- 15. (Original) A compound of formula (X) as claimed in claim 14, wherein R<sub>1</sub> is H.
- 16. (Previously presented) A process for preparing a compound of formula (I) as claimed in claim 1, which comprises
  - 1. culturing the microorganism *Actinomycetales* sp. DSM 14865 in an aqueous nutrient medium until one or more of the compounds serpentemycin A, B, C and D accrues in the culture broth, and
  - 2. isolating and purifying said serpentemycin A, B, C and/or D.
- 17. (Cancelled)
- 18. (Previously presented) A process as claimed in claim16, which comprises fermenting the microorganism Actinomycetales sp. DSM 14865 in a culture medium which contains a carbon and nitrogen source and also the customary inorganic salts and trace elements, isolating serpentemycins A, B, C and/or D and, optionally, converting said serpentemycins A, B, C and/or D into a pharmacologically tolerated salt.
- 19. (Original) A process as claimed in claim 16, wherein the fermentation is carried out under aerobic conditions at a temperature of between 20 and 35°C and at a pH between 4 and 10.
- 20. (Cancelled)
- 21. (Cancelled)

- 22. (Cancelled)
- 23. (Previously presented) The Isolated microorganisms Actinomycetales sp., DSM 14865